

## Vacant and Abandoned Proposed Ordinance Changes

<b><u>Ordinance Section</u></b>	<b><u>Current Language</u></b>	<b><u>Proposed Revision</u></b>	<b><u>Impact</u></b>
1. Findings	Ordinance is applicable to residential property	Ordinance is applicable to Residential and Commercial Property	There are a number of vacant and abandoned commercial properties throughout the city that negatively impact neighboring property values and safety.
2. Definitions	Residential vacant or abandoned for a period of at least 28 consecutive days and at least one additional condition	Residential vacant or abandoned for a period of at least 60 consecutive days and at least one additional condition	Extending the period of time from 28 consecutive days to 60 consecutive days provides more time for the property owner to plan for reuse (sell, rent, etc.).
3. Definitions	Does not address commercial vacant and abandoned	Commercial vacant or abandoned for a period of more than 180 consecutive days and at least one additional condition	The period of time of more than 180 consecutive days for commercial property understanding that commercial property often times requires a longer period of time to plan for reuse (sell, lease, etc.).
4. Definitions	Abandoned residential structure is defined	Definitions include both Vacant and Abandoned separately	The ordinance is applicable to both vacant and abandoned properties however recognizing that one does not mean the other.
5. Definitions	Condition - Has a utility disconnected or not in use	Has the utility heat source of gas and/ or electric Disconnected water utility is no longer a required utility and not in use has been removed	Frequently there is question of which utilities are required to be connected. The initial intent was that it include gas, electric, and water. Following further discussion of each utility and the potential impact that each utility has on a vacant and abandoned structure it was determined that the lack of water utility has little to no impact on the property.
6. Definitions	Does not define monitoring	Definition for monitoring is included	What is monitoring is a commonly asked question, that is now clearly defined.
7. Registration	One time vacant and abandoned registration	Annual vacant and abandoned registration - Only an initial registration fee not annually	Annual registration will help to improve up to date property ownership information (mailing address, email, phone).

8. Exemptions	Exemption for temporary absence is 120 days	Exemption for temporary absence is extended to 150 days	An extension to 150 days better accommodates seasonal residency
9. Administrative Fee	Monitoring fee shall be invoiced and paid quarterly	Monitoring fee shall be invoiced	Due to the fluidity of ownership with vacant and abandoned property, there are situations when quarterly invoicing of monitoring has been less accurate / effective. Organizational discretion to invoice monthly, every two months, or quarterly.
10. Monitoring and Securing	Monthly monitoring during the period to time that a property is vacant and abandoned	Monthly monitoring will be tolled for a maximum 6 month period of time that there is an open trade permit (building, electrical, mechanical, plumbing)	Application of a trade permit to complete repairs demonstrates a property owners commitment to get the property back into productive use.
11. Monitoring and Securing	Plywood boarding or its equivalent shall be placed over all points of entry of a vacant and abandoned structure	A property owner shall repair or replace unsecured doors and windows or install plywood boarding or its equivalent over all points of entry	Repair or replacement of unsecured doors and windows is a more desirable appearance of a vacant and abandoned property.
12. Monitoring and Securing	Monthly monitoring conducted during the time the property is deemed vacant and abandoned	Property that has been monitored monthly for a minimum of one year and having no exterior violations during that time may request in writing to have monitoring conducted quarterly and fees adjusted accordingly. Property under quarterly monitoring found to have 2 or more exterior violations within a rolling calendar year or the issuance of a citation will revert back to monthly monitoring.	This is an incentive for property owners to proactively maintain their property. Quarterly monitoring is a financial benefit to responsible property owners.

13. Reuse and Occupancy	Certificate of Occupancy is revoked at the time the property is deemed vacant and abandoned requiring an all-trade safety inspection prior to reoccupancy	Certificate of Occupancy is suspended at the time the property is deemed vacant and abandoned requiring an International Property Maintenance Code (IPMC) inspection prior to the reinstatement of the C of O <b>Residential and Commercial</b> - all-trade safety inspection required for property vacant more than 24 months. Temporary C of O may be issued if there are no health, safety, or welfare violations.	This creates incentive for investment. An IPMC inspection addresses minimum code standards verses an all-trade safety inspection of State codes. Property vacant for more than 24 months has been found to have a greater risk of building, electrical, mechanical, and plumbing violations therefore to ensure the safety of the property an all-trade safety inspection is required prior to occupancy. Quicker turn around time for IPMC inspections.
14. Reuse and Occupancy	Policy has been that if the property has been vacant and abandoned for less than 6 months and is going to be owner occupied then an all-trade safety inspection would not be required prior to occupancy	Inspection exemptions prior to reoccupancy are now defined in the ordinance Owner Occupied within 6 months of being vacant and abandoned does not require an IPMC inspection prior to occupancy	This ensures that there is a shared clear understanding of when an IPMC inspection is required and when the suspended Certificate of Occupancy can be reinstated without the need for inspection.
15. Reuse and Occupancy	Payment of registration and monitoring fees is not addressed	Once all violations have been corrected and all outstanding registration and monitoring fees have been paid, the full Certificate of Occupancy is reinstated.	This helps to ensure that all outstanding debt owed to the City, related to the vacant and abandoned property, has been paid.
16. Change in and / or Transfer of Ownership of Dwelling	Is not addressed	City shall issue a new order to the person assuming ownership. A Transfer of Ownership Affidavit shall be completed and submitted to the City following the transfer of the property.	Due to the fluidity of ownership with vacant and abandoned property, the filing of a Transfer of Ownership Affidavit ensures that both parties have a shared understanding of all pending violation notices. Additionally, this provides the City updated ownership information to begin working with the new property owner towards compliance. This is also a requirement of IPMC 107.6.